

REMARKS

This amendment responds to the Office Action dated February 26, 2002 in which the Examiner rejected claims 31-42 under 35 U.S.C. § 103 and stated the claims 19-26 are allowed.

Claims 31, 35, 39 and 41 claim a photographic apparatus having (a) recording section(s) and a controller. The recording section is capable of recording moving pictures and also pictures to be reproduced as still pictures on a recording medium. The controller controls the photographic apparatus, which is operated by a voluntary operation of an operator, to selectively carry out a plurality of shooting and reproducing modes. The shooting mode includes a mode in which the moving picture is recording on the recording medium and a mode in which the picture to be reproduced as the still picture is recorded on the recording medium. The reproducing modes include a mode in which the moving picture recorded on the recording medium is produced, a mode in which the picture recorded on the recording medium so as to be reproduced as a still picture is reproduce and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the recording medium.

Through the structure on the claimed invention a) recording both moving pictures and also pictures so as to be reproduced as still pictures on a (same) recording medium and b) having a controller which controls the photographic apparatus to selectively carry out the plurality of shooting and reproducing modes in which both the moving picture and picture to be reproduced as the still picture are both recorded or reproduced from the (same) recording medium, as claimed in claims 31, 35, 39 and 41, the claimed invention

provides a photographing apparatus functioning both as a still camera and a video camera in which entries to a database can be easily retrieved. The prior art does not show, teach or suggest the invention as claimed in claims 31, 35, 39 and 41.

Claims 31-42 were rejected under 35 U.S.C § 103 as being unpatentable over *Inoue* (U.S. Patent No. 5,710,954) in view of *Ootsuka* (U.S. Patent No. 5,774,754).

Applicants respectfully traverse the Examiner's rejection of the claim under 35 U.S.C § 103. The claims have been reviewed in light of the Office Action, and for reasons which would be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

Applicants respectfully traverse the Examiner's statement that *Inoue* discloses a recording section capable of recording moving pictures and also pictures to be reproduced as still pictures on a recording medium. *Inoue* at column 19 line 30 through column 21 line 55 merely discloses an image memory 111 which stores a digital image signal when the film 105 is exposed (see column 21 lines 37-42, 60-62). In other words, only the still picture in *Inoue* is stored in the image memory 111. No where does *Inoue* show, teach or suggest that a (same) recording medium stores both a moving picture and also pictures to be reproduced as still pictures as claimed in claims 31, 35, 39 and 41.

Additionally, *Inoue* merely discloses a recording unit 125 detachably arranged for recording a moving image of an object using a magnetic tape (column 22 lines 19-21). Thus nothing *Inoue* shows, teaches, or suggest a recording section capable of recording moving pictures and pictures to be reproduced as still pictures on the (same) recording medium as claimed in claims 31, 35, 39 and 41.

Additionally, *Inoue* merely discloses a controlled unit 123 which controls a signal processing unit 110, image memory 111, AF control unit 114, Zoom control unit 115, AE calculating unit 116, a Film winding unit, and a 119 LCD monitor 112 which is used by a photographer to confirm a screen using a submonitor display. Thus nothing in *Inoue* shows, teaches or suggest a controller which selectively carries out a plurality of shooting and reproducing modes and in particular selects between shooting modes in which the moving picture or the picture to be reproduced as the still picture is recorded on the (same) recording medium and selects between reproducing modes including reproducing the moving picture, the still picture or reproducing a still picture from the moving picture from the (same) recording medium as claimed in claims 31, 35, 39 and 41. Rather, *Inoue* merely discloses allowing a photographer to confirm a proceeding screen using a submonitor display.

Finally, *Inoue* merely discloses a monitor 112. Nothing in *Inoue* shows, teaches or suggest storing two different types of information on the (same) recording medium (i.e., a moving picture and a picture to be reproduced as a still picture) while reproducing the two types of pictures three different ways (i.e., reproducing the moving picture, reproducing the picture recorded as the still picture and reproducing the still picture from the moving picture) as claimed in claims 31, 35, 39 and 41. Rather, *Inoue* merely discloses an image monitor.

Ootsuka appears to disclose a recording start switch 39, a photographing mode change over switch 40 and an aspect ratio change over switch 61. The photographing mode change over switch 40 changes a combination of three photographing modes

including 1) a film image photographing mode in which still images are recorded on photosensitive film, 2) an electronic still image photographing mode in which still images are recorded on IC card 51 and 3) a motion image photographing mode for recording motion images on a magnetic recording medium 52.

Thus, although *Ootsuka* discloses a plurality of switches, nothing in *Ootsuka* shows, teaches or suggest a) recording moving pictures and pictures to be reproduced as still pictures on the same recording medium or b) a controller which selectively carries out a plurality of shooting and reproducing modes including a shooting mode selecting between recording moving pictures or pictures to be reproduced as still pictures on the same recording medium and a reproducing mode which reproduces the moving pictures, the picture recorded as the still picture or a still picture reproduced from the moving picture as claimed in claims 31, 35, 39 and 41. Rather, *Ootsuka* merely discloses a plurality of switches and in particular switch 40 which records on three different types of recording mediums.

Since nothing in *Inoue* or *Ootsuka* show, teach or suggest a) recording two different types of pictures on a (same) recording medium or b) a controller which selects two different types of recording and three different types of reproducing from the two different types of pictures recorded on the (same) recording medium as claimed in claims 31, 35, 39 and 41, it is respectfully requested that the Examiner withdraws the rejection to claims 31, 35, 39 and 41 under 35 U.S.C. § 103.

Claims 32-34, 36-38, 40 and 42 depend from claims 31, 35, 39 and 41 and recite additional features. It is respectfully submitted the claims 32-34, 36-38 40 and 42 would

not have been obvious within the meaning 35 U.S.C. § 103 over *Inoue* or *Ootsuka* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 32-34, 36-38, 40 and 42 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, it is respectfully requested that the Examiner enters this amendment for purposes of appeal.

If for any reason Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our
Deposit Account No. 02-4800.

Respectfully submitted,

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Marked-up Claims 31, 35, 39 and 41

31. (Thrice Amended) A photographing apparatus comprising:

a first recording section for recording, on a first recording medium, mainly still pictures together with information relating to the still pictures thus recorded;

a second recording section capable of recording, on a second recording medium, moving pictures and also pictures to be reproduced as still pictures; and

a [mode selector switch for selecting among] controller for controlling the photographing apparatus, which is operated by a voluntary operation of an operator, to selectively carry out a plurality of shooting and reproducing modes, said shooting modes including a mode in which the still picture and information relating thereto are recorded on the first recording medium, a mode in which the moving picture is recorded on the second recording medium, and a mode in which the picture to be reproduced as the still picture is recorded on the second recording medium, said reproducing modes including a mode in which information relating to the still picture recorded on the first recording medium is displayed, a mode in which the moving picture recorded on the second recording medium is reproduced, a mode in which the picture recorded on the second recording medium so as to be reproduced as the still picture is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the second recording medium.

35. (Thrice Amended) A photographing apparatus comprising:

Marked-up Claims 31, 35, 39 and 41

a first recording section for recording, on a first recording medium, mainly still pictures together with information relating to the still pictures thus recorded;

a second recording section capable of recording, on a second recording medium, moving pictures and still pictures; and

a [mode selector switch for selecting among] controller for controlling the photographing apparatus, which is operated by a voluntary operation of an operator, to selectively carry out a plurality of shooting and reproducing modes, said shooting modes including a mode in which the still picture and information relating thereto are recorded on the first recording medium, a mode in which the moving picture is recorded on the second recording medium, and a mode in which the still picture is recorded on the second recording medium, said reproducing modes including a mode in which information relating to the still picture recorded on the first recording medium is displayed, a mode in which the moving picture recorded on the second recording medium is reproduced, a mode in which the still picture recorded on the second recording medium is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the second recording medium.

39. (Thrice Amended) A photographic apparatus comprising:

a recording section capable of recording, on a recording medium, moving pictures and also pictures to be reproduced as still pictures;

a [mode selector switch for selecting among] controller for controlling the photographing apparatus, which is operated by a voluntary operation of an operator, to

Marked-up Claims 31, 35, 39 and 41

selectively carry out a plurality of shooting and reproducing modes, said shooting modes including a mode in which the moving picture is recorded on the recording medium and a mode in which the picture to be reproduced as the still picture is recorded on the recording medium, said reproducing modes include a mode in which the moving picture recorded on the recording medium is reproduced, a mode in which the picture recorded on the recording medium so as to be reproduced as the still picture is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which the moving picture is recorded, an aspect ratio of the picture.

41. (Twice Amended) A photographic apparatus comprising:

a recording section capable of recording, on a recording medium, moving pictures and still pictures;

a [mode selector switch for selecting among] controller for controlling the photographing apparatus, which is operated by a voluntary operation of an operator, to selectively carry out a plurality of shooting and reproducing modes, said shooting modes including a mode in which the moving picture is recorded on the recording medium and a mode in which the still picture is recorded on the recording medium, said reproducing modes include a mode in which the moving picture recorded on the recording medium is reproduced, a mode in which the still picture recorded on the recording medium is

Marked-up Claims 31, 35, 39 and 41

reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which the moving picture is recorded, an aspect ratio of the picture.